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10 **UNITED STATES DISTRICT COURT**  
11 **CENTRAL DISTRICT OF CALIFORNIA**

12  
13 ENTROPIC COMMUNICATIONS,  
14 LLC,

15 Plaintiff,

16 v.

17 COX COMMUNICATIONS, INC.;  
18 COXCOM, LLC; and COX  
19 COMMUNICATIONS CALIFORNIA,  
LLC,

20 Defendants.

Case No.: 2:23-cv-01049

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**NOTICE OF RELATED CASES  
PURSUANT TO L.R. 83-1.3.1**

1 Pursuant to Local Rule 83-1.3.1, Plaintiff Entropic Communications, LLC  
2 (“Entropic”) hereby gives notice that the instant action is related to the following  
3 recently filed action that has not yet been assigned a judge:

- 4 • *Entropic Communications, LLC v. Cox Communications, Inc., et al.*, Case No  
5 2:23-cv-01047, filed February 10, 2023 (C.D. Cal.) (“Cox MoCA Action”).

6 The instant action is also related to the following cases currently pending before  
7 Judge John W. Holcomb:

- 8 • *Entropic Communications, LLC v. DIRECTV, LLC, et al.*, Case No. 2:22-cv-  
9 07775-JWH-JEM, filed March 9, 2022 (C.D. Cal.) (“DTV Action”).
- 10 • *Entropic Communications, LLC v. DISH Network Corporation, et al.*, Case No  
11 2:22-cv-07959-JWH-JEM, filed March 9, 2022 (C.D. Cal.) (“DISH Action”)  
12 (consolidated with the DTV Action, [see Dkt. # 52]).

13 Local Rule 83-1.3.1 states that cases are related if they “(a) arise from the same  
14 or a closely related transaction, happening, or event; (b) call for determination of the  
15 same or substantially related or similar questions of law and fact; or (c) for other reasons  
16 would entail substantial duplication of labor if heard by different judges.” As discussed  
17 below, the instant action is related to the Cox MoCA Action as well as the DTV Action  
18 and DISH Action (together, the “DTV/DISH Actions”) on the basis of all three elements  
19 weighing in favor of their being heard by the same judge (as well as being heard at the  
20 same time).

21 The instant action and the Cox MoCA Action arise from the same or a closely  
22 related transaction, happening, or event. First, the instant action is directed to the  
23 infringement of Entropic’s patents by Cox Communications, Inc., CoxCom, LLC, and  
24 Cox Communications California, LLC (collectively, the “Cox Defendants”), which are  
25 the same defendants as in the Cox MoCA Action. Second, the accused products in the  
26 instant action include certain Arris Cable Modem Products, and the accused services  
27 are provided by the Cox Defendants by means of the accused products. These are the  
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1 same accused products and services accused of infringement in the Cox MoCA Action.  
2 Entropic is the sole plaintiff in both the instant action and the Cox MoCA Actions.

3 The instant action and the DTV/DISH Actions also arise from the same or a  
4 closely related transaction, happening, or event. Pursuant to the December 13, 2022  
5 Minute Order issued by the Court in the DTV Action [Dkt. # 176], the DTV Action and  
6 DISH Action are deemed related and have been consolidated, with the DTV Action as  
7 the lead case. The DTV/DISH Actions relate to the infringement of Entropic's patents  
8 by telecommunication products and/or services provided by the defendants.  
9 Specifically, the DTV/DISH Actions allege infringement of U.S. Patent No. 8,792,008  
10 (the "'008 Patent"). The '008 Patent is also being asserted in the instant action against  
11 the Cox Defendants. Specifically, claims 1 and 2 of the '008 Patent are being asserted  
12 against all defendants in these three actions.<sup>1</sup>

13 Accordingly, L.R. 83-1.3.1(a) supports a finding that these cases are related.

14 The instant action and the Cox MoCA Action call for determination of the same  
15 or substantially related or similar questions of law and fact. For example, both actions  
16 will deal with the development, use, and sale of the Cox Defendants' same accused  
17 products and services. Additionally, discovery issues—including witnesses and  
18 documents in the Cox Defendants' custody related to the development and use of their  
19 telecommunications products and services—will be substantially similar between the  
20 cases, which would lead to increased efficiency if the instant action is deemed related  
21 to the Cox MoCA Action.

22 The instant action and the DTV/DISH Actions also call for determination of the  
23 same or substantially related or similar questions of law and fact. For example, all three  
24 actions will deal with the validity of the '008 Patent, which likely will include  
25 overlapping claim construction issues. Discovery issues—including Entropic's  
26 witnesses and documents relating to the '008 Patent—will be substantially similar

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28 <sup>1</sup> While claims 1 and 2 are not specifically asserted in the complaints of the  
DTV/DISH Actions, they have been asserted in the infringement contentions, which  
are properly before this Court.

1 between the cases, which would lead to increased efficiency if the instant action is  
2 deemed related. The same third parties will be at issue in the instant action and the  
3 DTV/DISH Actions as the accused products in both cases incorporate the same or  
4 similar chips from a third party manufacturer Broadcom.

5 Thus, L.R. 83-1.3.1(b) also supports a finding that these cases are related.

6 The instant action and the Cox MoCA Action should be deemed related for other  
7 reasons to avoid substantial duplication of labor if heard by different judges. For  
8 example, discovery disputes, potential defenses asserted by the Cox Defendants, and  
9 any other disputes between the Cox Defendants and Entropic are likely to be similar.  
10 As such, if these cases were heard by different judges, there would be substantial  
11 duplication of labor because both judges would be required to address and adjudicate  
12 the same factual and legal issues.

13 The instant action and the DTV/DISH Actions also should be deemed related for  
14 other reasons to avoid substantial duplication of labor if heard by different judges. For  
15 example, any discovery disputes, technical tutorials required by the Court, or  
16 substantive motions heard by the Court will be duplicative as to the '008 Patent across  
17 all three cases. As such, if these cases were heard by different judges, there would be  
18 substantial duplication of labor because both judges would be required to address and  
19 adjudicate the same factual and legal issues.

20 Accordingly, L.R. 83-1.3.1(c) supports a finding that these cases are related.

21 For the foregoing reasons, Entropic believes that the instant action and the Cox  
22 MoCA Action clearly qualify as related cases and thus should both be heard by Judge  
23 John W. Holcomb. In addition, Entropic believes that the instant action and the  
24 DTV/DISH Actions also qualify as related cases and thus the instant action should be  
25 heard by Judge John W. Holcomb.

26 In addition, Entropic is concurrently filing another complaint in this District  
27 Court directed to infringement of the same patents asserted in the instant action, which  
28 includes the '008 Patent asserted in the DTV/DISH Actions. This complaint is for patent

1 infringement by Comcast Corporation, Comcast Cable Communications, LLC, and  
2 Comcast Cable Communications Management, LLC by telecommunication products  
3 and/or services provided by the defendants. As such, Entropic asks the Court to deem  
4 the forthcoming action as related to the instant action and the DTV/DISH Actions as  
5 well, and will be providing a separate notice detailing the specific reasons pursuant to  
6 L.R. 83-1.3.1.

Dated: February 10, 2023

By: /s/ *Christina N. Goodrich*

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